

Message Text

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PAGE 01 BAGHDA 01531 071120Z
ACTION NEA-10

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FM USINT BAGHDAD
TO SECSTATE WASHDC 4951
INFO AMEMBASSY JIDDA

C O N F I D E N T I A L BAGHDAD 1531

DEPARTMENT FOR NEA/ARN

JIDDA FOR WILEY ONLY

E.O. 11652: GDS
TAGS: ASEC, PDIO, IZ, US
SUBJECT: DETENTION OF LOCAL EMPLOYEE

REF: STATE 206527

1. ZAHAWI RECEIVED ME SEPTEMBER 4, AND I PRESENTED OUR POSITION AS INSTRUCTED IN REFTEL AFTER PREFACING REMARKS WITH BACKGROUND OF OUR PATIENT AND LOW-KEY EFFORTS TO OBTAIN EXPLANATION FOR SOUSA'S DISAPPEARANCE. I ALSO DESCRIBED WAYS IN WHICH PROBLEM HAS INTERFERED WITH PERFORMANCE OF OUR DIPLOMATIC FUNCTIONS, STRESSING THE PROBLEMS OF RECRUITING NEW IRAQI EMPLOYEES AND MAINTAINING EFFICIENCY OF EXISTING EMPLOYEES. I LEFT HIM WITH A COPY OF DEPARTMENT'S TALKING POINTS ON PLAIN BOND WITH NO HEADING.

2. ZAHAWI ACKNOWLEDGED THAT WILEY'S APPROACH RE SOUSA'S EMIGRATION WAS AN INFORMAL ONE BUT ADDED THAT HE FELT AT THE TIME IT COULD REBOUND AGAINST SOUSA. ZAHAWI SAID THAT THE SECURITY AND INTELLIGENCE AUTHORITIES
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DECIDED IT WAS INTERFERENCE IN IRAQ'S INTERNAL AFFAIRS. HE SAID THAT THEY RESENTED SOUSA'S EFFORT TO ENGAGE A FOREIGN GOVERNMENT IN HIS EFFORTS TO OVERCOME THEIR NEGATIVE DECISION ON HIS EMIGRATION. AUTHORITIES HAD TOLD SOUSA HE COULD NOT HAVE A PASSPORT, AND SOUSA THEN TRIES TO USE HIS TIES WITH USG TO PRESSURE THEM TO REVERSE DECISION. ZAHAWI SAID HE WOULD PASS ON MY

PRESENTATION BUT CAUTIONED THAT FOREIGN MINISTRY MIGHT NOT GET AN ANSWER FROM AUTHORITIES CONCERNED. ZAHAWI SAID HE PERSONALLY AGREED THAT SOUSA'S DETENTION INTERFERED WITH USINT'S PERFORMANCE OF DIPLOMATIC FUNCTIONS, BUT HE THOUGH THAT AUTHORITIES WOULD STILL VIEW MATTER AS A PURELY INTERNAL ONE. I SUGGESTED THAT IF THEY REALLY BELIEVED MATTER TO BE PURELY INTERNAL THEY COULD SURELY FIND MEANS OF DIRECTLY RELIEVING THE ANXIETY OF SOUSA'S FAMILY, WHO WERE BEING FORCED TO RELY ON ME FOR INFORMATION.

3. COMMENT: IT DOES NOT SPEAK WELL FOR ZAHAWI THAT HE FAILED TO EXPRESS HIS RESERVATIONS TO WILEY. IT WOULD HAVE BEEN IN CHARACTER FOR HIM TO REPORT ACCURATELY BUT WITHOUT VOLUNTEERING HELPFUL BACKGROUND, WHICH HE WAS IN A POSITION TO PROVIDE, ON EVOLUTION OF OUR OVERALL RELATIONS. I BELIEVE DEPARTMENT'S BALANCED VIEWS WILL BE ACCURATELY TRANSMITTED, PROBABLY VERBATIM. I DOUBT THAT FOREIGN MINISTRY WILL COMMENT ON MERITS OF OUR ARGUMENTS, ASIDE FROM PROBABLY ADDING THEIR LEGAL INTERPRETATION OF VIENNA CONVENTION. SINCE ZAHAWI SEEMED TO ACCEPT THIS POINT, WE MAY AT LEAST GAIN IRAQI UNDERSTANDING OF LEGAL BASIS FOR OUR CONTINUED CONCERN.
MACK

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